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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,150	12/01/2003	Masami Tomita	245003US0	1621
22850	7590	08/23/2007	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			DOTE, JANIS L	
			ART UNIT	PAPER NUMBER
			1756	
			NOTIFICATION DATE	DELIVERY MODE
			08/23/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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patentdocket@oblon.com  
oblonpat@oblon.com  
jgardner@oblon.com



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<b>APPLICATION NO./ CONTROL NO.</b>	<b>FILING DATE</b>	<b>FIRST NAMED INVENTOR / PATENT IN REEXAMINATION</b>	<b>ATTORNEY DOCKET NO.</b>
10724150	12/1/03	TOMITA ET AL.	245003US0

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

**EXAMINER**

Janis L. Dote

<b>ART UNIT</b>	<b>PAPER</b>
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1756

20070817

DATE MAILED:

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**Commissioner for Patents**

The information disclosure statement (IDS) submitted on May 31, 2007, was filed after the filing of the RCE on May 9, 2007, and before the mailing date of the notice of allowance on Jul. 8, 2007. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner has considered the information disclosure statement. See the attached copy of examiner-initiated "List of related cases" of the IDS filed on May 9, 2007.

After the Aug. 17, 2007, telephone interview with Ms. Grueneberg, the examiner discovered that the reference JP 09-043909 listed on the form PTO-1449 filed on Dec. 1, 2003, was present in the IFW. It was mislabeled as an "NPL Document." The examiner has considered the reference. See the attached copy of examiner-initiated form PTO-1449 filed on Dec. 1, 2003. Note that the other references listed on that copy have been crossed-out because they have been considered, as set forth in the examiner-initiated form PTO-1449 that was attached to the office action mailed on Mar. 8, 2005.

*Janis L. Dote*  
**JANIS L. DOTE**  
**PRIMARY EXAMINER**  
**GROUP 1500**  
1700

Art Unit: 1756

Discussed the non-consideration of the IDS filed on Apr. 5, 2007. The examiner noted that the IDS filed on Apr. 5, 2007, was not considered for the reasons stated in the Notice of allowance mailed on Jul. 6, 2007. In particular, the IDS did not provide a list of the document submitted and a column for the examiner's initial, as required under 37 CFR 1.98(a)(1). The examiner stated that if Ms. Grueneberg disagreed with said finding, she could file a petition to have that IDS considered. In the interview, Ms. Grueneberg asked why the reference JP 09-04399 listed on the form PTO-1449 filed on Dec. 1, 2003, was crossed-out. The examiner stated that the reference was deleted because a copy of the reference was not provided. The IFW file only lists four "FOR" (foreign) references filed on that date.